

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)



Applicant's or agent's file reference P045360PCT EVR/do	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/NL 03/00081	International filing date (day/month/year) 06.02.2003	Priority date (day/month/year) 12.07.2002
International Patent Classification (IPC) or both national classification and IPC B29C45/17		
Applicant F.T. ENGINEERING B.V.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

 These annexes consist of a total of 5 sheets.

3. This report contains indications relating to the following items:
 - I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 11.02.2004	Date of completion of this report 20.10.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer Zattoni, F Telephone No. +31 70 340-3202 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/NL 03/00081**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

3-8 as originally filed
1, 2 received on 26.07.2004 with letter of 26.07.2004

Claims, Numbers

1-16 received on 26.07.2004 with letter of 26.07.2004

Drawings, Sheets

1/9-9/9 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/NL 03/00081**

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-16
	No: Claims	
Inventive step (IS)	Yes: Claims	1-16
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-16
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. Reference is made to the following document:

D1: US-A-5556656

2. Present claim 1 does not meet the requirements of Article 6 PCT for the following reasons:

- 2.1 In claim 1 it is not clear to which features the expression "said joint is embodied to allow tilting and slight movement in the horizontal plane" refers, i.e which are the elements involved in the tilting and movement.

3. The following statements are made under reference to paragraph 2.1 of the present Report.

- 3.1 Document D1 (cf. col. 4, lines 3-30 and figure 3) discloses an injection moulding device comprising two parts that can move with respect to one another for delimiting a mould cavity between them, wherein at least one of said part is provided with a plastic feed that can be shut off, one of said parts being joined to a frame and the other movable part can be moved with respect to said frame by means of operating means. The joint between said movable part and said operating means is embodied to allow tilting and slight movement of said movable part with respect to said operating means in a direction that is not the direction of movement of the operating means, whereby said joint is embodied to allow tilting and slight movement of the movable part with respect to the stationary part in a plane.

Claim 1 differs therefrom in that said parts move in a vertical direction with respect to one another, in that the slight movement is in an horizontal plane, in that centring means are fitted for centring the movable part with respect to the stationary part when the stationary part and the movable part move to one another and in that said joint comprises a number of columns which extend in the direction of movement next to one another parallel with respect to one another and arranged between the operating means and said movable part, which columns are rigid in the longitudinal direction thereof and are weak in the transverse direction thereof.

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/NL 03/00081

Therefore the subject-matter of claim 1 is new and claim 1 meets the requirements of Article 33(2) PCT.

The objective problem underlying claim 1 can be considered as providing mutual movement of the bottom joint face with respect to the top joint face, whereby such a movement is purely parallel, cf. description page 2, lines 29-33.

Although D1 further discloses the possibility of having a vertical disposition of the moulding device and therefore a vertical orientation of the movements of said parts and discloses a movement in an horizontal plane of the movable part, cf. col. 1, lines 57-59, and another part of D1, cf. figure 10, discloses centring means for centring the movable part with respect to the stationary part, the presence of a number of columns which extend in the direction of movement next to one another parallel with respect to one another and arranged between the operating means and said movable part, which columns are rigid in the longitudinal direction thereof and are weak in the transverse direction thereof, is not disclosed nor suggested by the available cited documents.

Therefore claim 1 also fulfils the requirements of Article 33(3) PCT.

4. Claims 2-16 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.